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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/750,820

01/05/2004

Yasutoshi Inoue

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04/13/2006

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EXAMINER

MERCEDES, DISMERY E

ART UNIT

PAPER NUMBER

2627

DATE MAILED: 04/13/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/750,820

Applicant(s)

INOUE ET AL.

Examiner

Dismery E. Mercedes

Art Unit

2627

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 February 2006.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2,5,6,9 and 10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2,5,6,9 and 10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01 May 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 1,5 and 9 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-2,5-6,9-10 are rejected under 35 U.S.C. 102(b) as being anticipated by Arai et al. (US 4,359,615).

As to Claim 5, Arai et al. discloses a magnetic recording and reproducing apparatus for performing azimuth recording on a tape form recording medium by a plurality of recording heads, said system comprising a head system having a plurality of said recording heads, and a tape feeding means for feeding said tape form recording medium, wherein said head system comprises a first recording head including a plurality of magnetic gaps having a first azimuth angle, and a second recording head including a plurality of magnetic gaps having a second azimuth angle different from said first azimuth angle (as depicted in Figs. & abstract & col.6-9,12-14 and col.6, lines 15-42; col.10, line 25-65); a positional relationship between said magnetic gaps is so determined that in relation to each magnetization pattern formed on said tape formed on said recording medium by said magnetic gaps of said first recording head, side edge portions in the formation direction of said patterns are

overwritten by said magnetic gaps of said second recording head (as depicted in Figs.5-9,15,19-23 and respective description in the spec), wherein said first and second recording heads are thin-film heads and a single head chip constituting each said recording head is provided with a plurality of magnetic gaps and wherein said first and second recording heads are mounted on a rotary drum, and each of said magnetization patterns formed on said recording medium is an inclined track (see figs.6-7,9,14-16,19 and col.2, lines 49-63; col.16, lines 59-col.17, line 4).

As to Claim 6, Arai et al. further discloses said overwriting is conducted with such a positional relationship that a side edge portion of said magnetization pattern in the formation direction of said magnetization pattern formed by each said magnetic gap of said first recording head coincides substantially with the center of each magnetization pattern formed by said second recording head (figs.16-18 and col.12, line 30-col.13, line 53).

As to Claims 9-10 are method claims drawn to the apparatus of claims 5-6 and are rejected for similar reasons as set forth in the rejection of claims 5-6 above.

As to Claims 1-2 have limitations similar to those treated in the above rejections and are met by the reference as discussed above.

Conclusion

4. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the

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THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure: Watanabe et al. (US 6,014,291); Ozue (US 6,922,298); Nozieres (US 6,650,496); Fasen (US 5,995,315); Traxlmayr (US 6,246,830); Yoshida et al. (US 5,963,388); Yamada et al. (US 6,236,538); Hirayama et al. (US 5,089,918); Yamada et al. (US 5,912,780); Kira (US 5,153,980).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dismery E. Mercedes whose telephone number is 571-272-7558. The examiner can normally be reached on Monday - Friday, from 9:00am - 4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wayne R. Young can be reached on 571-272-7582. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Dismery Mercedes



WAYNE YOUNG
SUPERVISORY PATENT EXAMINER